

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

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|----------------------------|---|-----------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| Plaintiff, |) | CRIMINAL ACTION FILE |
| |) | NO. 1:06-CR-147-WSD-2 |
| v. |) | |
| |) | ATLANTA, GEORGIA |
| EHSANUL ISLAM SADEQUEE (2) |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE WILLIAM S. DUFFEY, JR.,
UNITED STATES DISTRICT JUDGE, AND A JURY

VOLUME 7
Wednesday, August 12, 2009

APPEARANCES OF COUNSEL:

For the Plaintiff: OFFICE OF THE U.S. ATTORNEY
(By: David E. Nahmias
Robert C. McBurney
Christopher Bly)

U.S. DEPARTMENT OF JUSTICE
(By: Alexis L. Collins)

For the Defendant: Ehsanul Islam Sadequee, *Pro Se*

Standby Counsel: GARLAND SAMUEL & LOEB
(By: Donald Franklin Samuel
Amanda Clark Palmer)

Khurrum B. Wahid

*Proceedings recorded by mechanical stenography
and computer-aided transcript produced by*

NICHOLAS A. MARRONE, RMR, CRR
1714 U. S. Courthouse
75 Spring Street, S.W.
Atlanta, GA 30303
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I N D E X

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|----------------|-------------|
| <i>Verdict</i> | <i>1478</i> |

1 Wednesday Morning Session

2 August 12, 2009

3 11:07 a.m.

4 -- -- --

5 P R O C E E D I N G S

6 -- -- --

7 (In open court without a jury present:)

8 THE COURT: All right I understand that the jury
9 has a verdict.

10 Is there anything that we need to do before we
11 receive the verdict?

12 MR. MCBURNEY: No, sir.

13 THE COURT: Mr. Sadequee?

14 MR. SADEQUEE: No.

15 THE COURT: All right. Let's bring the jurors in,
16 please.

17 (In open court with a jury present:)

18 THE COURT: Good morning, ladies and gentlemen.

19 Mr. Meyer, I understand that the jury has reached a
20 verdict; is that correct?

21 JURY FOREPERSON MEYER: Yes, sir.

22 THE COURT: And was the verdict unanimous?

23 JURY FOREPERSON MEYER: Yes, sir.

24 THE COURT: If you would please hand the verdict
25 form to the Court Security Officer?

1 All right. I find the verdict form to be properly
2 executed and properly signed.

3 Each of you, please listen to the verdict as it's
4 read to make sure that it was the verdict that you reached
5 during your deliberations.

6 Jessica, would you please publish the verdict?

7 THE CLERK: In the matter of the United States of
8 America v. Ehsanul Islam Sadequee, Criminal Action
9 No. 1:06-CR-147:

10 Count One, conspiracy to provide material
11 support to terrorists. As to Count One of the
12 indictment, we, the jury, unanimously find the
13 defendant guilty.

14 Count Two, providing and attempting to provide
15 material support to terrorists. As to Count Two of
16 the indictment, we, the jury, unanimously find the
17 defendant guilty.

18 Count Three, conspiracy to provide material
19 support to a designated foreign terrorist
20 organization. As to Count Three of the indictment,
21 we, the jury, unanimously find the defendant
22 guilty.

23 Count Four, attempting to provide material
24 support to a designated foreign terrorist
25 organization. As to Count Four of the indictment,

1 we, the jury, unanimously find the defendant
2 guilty.

3 So say we all this 12th day of August 2009,
4 signed Foreperson Fred P. Meyer, Jr.

5 THE COURT: All right. Does anybody wish to have
6 the jury polled?

7 MR. SADEQUEE: Yes.

8 THE CLERK: Ladies and gentlemen, as I call your
9 name, please stand and I will ask you three questions. You
10 should answer yes or no after each question.

11 Fred Meyer, was the verdict as published your
12 verdict in the jury room?

13 JURY FOREPERSON MEYER: Yes.

14 THE CLERK: Is it still your verdict?

15 JURY FOREPERSON MEYER: Yes.

16 THE CLERK: Was the verdict freely and voluntarily
17 entered into by you?

18 JURY FOREPERSON MEYER: Yes.

19 THE CLERK: Keenan Jones, was the verdict as
20 published your verdict in the jury room?

21 JUROR JONES: Yes.

22 THE CLERK: Is it still your verdict?

23 JUROR JONES: Yes, it is.

24 THE CLERK: Was the verdict freely and voluntarily
25 entered into by you?

1 JUROR JONES: Yes.

2 THE CLERK: Robert Barber, was the verdict as
3 published your verdict in the jury room?

4 JUROR BARBER: Yes.

5 THE CLERK: Is it still your verdict?

6 JUROR BARBER: Yes.

7 THE CLERK: Was the verdict freely and voluntarily
8 entered into by you?

9 JUROR BARBER: Yes.

10 THE CLERK: Jenny Simmons, was the verdict as
11 published your verdict in the jury room?

12 JUROR SIMMONS: Yes.

13 THE CLERK: Is it still your verdict?

14 JUROR SIMMONS: Yes.

15 THE CLERK: What the verdict freely and voluntarily
16 entered into by you?

17 JUROR SIMMONS: Yes.

18 THE CLERK: James Madden, was the verdict as
19 published your verdict in the jury room?

20 JUROR MADDEN: Yes.

21 THE CLERK: Is it still your verdict?

22 JUROR MADDEN: Yes.

23 THE CLERK: Was the verdict freely and voluntarily
24 entered into by you?

25 JUROR MADDEN: Yes.

1 THE CLERK: Ervin McMullen, was the verdict as
2 published your verdict in the jury room?

3 JUROR McMULLEN: Yes, it was.

4 THE CLERK: Is it still your verdict?

5 JUROR McMULLEN: Yes, it is.

6 THE CLERK: Was the verdict freely and voluntarily
7 entered into by you?

8 JUROR McMULLEN: Yes, it was.

9 THE CLERK: Phyllis Smith, was the verdict as
10 published your verdict in the jury room?

11 JUROR SMITH: Yes.

12 THE CLERK: Is it still your verdict?

13 JUROR SMITH: Yes.

14 THE CLERK: Was the verdict freely and voluntarily
15 entered into by you?

16 JUROR SMITH: Yes.

17 THE CLERK: Robert Cabe, was the verdict as
18 published your verdict in the jury room?

19 JUROR CABE: Yes.

20 THE CLERK: Is it still your verdict?

21 JUROR CABE: Yes.

22 THE CLERK: Was the verdict freely and voluntarily
23 entered into by you?

24 JUROR CABE: Yes.

25 THE CLERK: Don Reese, was the verdict as published

1 your verdict in the jury room?

2 JUROR REESE: Yes.

3 THE CLERK: Is it still your verdict?

4 JUROR REESE: Yes.

5 THE CLERK: Was the verdict freely and voluntarily
6 entered into by you?

7 JUROR REESE: Yes.

8 THE CLERK: Cordell Wooden, was the verdict as
9 published your verdict in the jury room?

10 JUROR WOODEN: Yes.

11 THE CLERK: Is it still your verdict?

12 JUROR WOODEN: Yes.

13 THE CLERK: Was the verdict freely and voluntarily
14 entered into by you?

15 JUROR WOODEN: Yes.

16 THE CLERK: Douglas Hine, was the verdict as
17 published your verdict in the jury room?

18 JUROR HINE: Yes.

19 THE CLERK: Is it still your verdict?

20 JUROR HINE: Yes.

21 THE CLERK: Was the verdict freely and voluntarily
22 entered into by you?

23 JUROR HINE: Yes.

24 THE CLERK: Tara Spann, was the verdict as
25 published your verdict in the jury room?

1 JUROR SPANN: Yes.

2 THE CLERK: Is it still your verdict?

3 JUROR SPANN: Yes.

4 THE CLERK: Was the verdict freely and voluntarily
5 entered into by you?

6 JUROR SPANN: Yes.

7 THE COURT: The polling indicates that the verdict
8 was freely entered -- freely entered into by all jurors and
9 that it was unanimous.

10 I'm directing the Court to file and record the
11 verdict.

12 Ladies and gentlemen, that concludes your
13 service. On behalf of the Court and on behalf of your
14 country, I appreciate very much your service to the system in
15 this particular case.

16 It is my practice, if you are willing -- I know
17 it's been a long number of days for you, but I do like to
18 come back and thank you personally. If you will allow me
19 to do that after you retire, I will do that in the jury
20 room.

21 I have got a couple of very short matters I need to
22 deal with with the parties before I conclude the proceeding.
23 But if you don't mind waiting just a few minutes, I would
24 like to come back and thank you myself.

25 All right. You may return to the jury room.

1 (In open court without a jury present:)

2 THE COURT: All right. Jessica, would you please
3 set a date for sentencing?

4 THE CLERK: Thursday, October 15, 2009, at
5 9:30 a.m.

6 THE COURT: Let me note that the defendant has
7 refused to sign notice of his sentencing.

8 I note that I personally have advised you and
9 the Court has advised you as to the date of your
10 sentencing, and the record should reflect that you were told
11 and advised, but that you refused to sign the notice of your
12 sentencing.

13 Is there anything else we need to consider?

14 Motions will be due in accordance with the Federal
15 Rules of Criminal Procedure to the extent that anybody wants
16 to file posttrial motions.

17 You recall after the Ahmed case that I made special
18 findings in that case and that I had those filed under seal
19 until the conclusion of this case. This case having been
20 concluded, I will unseal my special findings, and they will
21 be docketed today.

22 All right. Is there anything else, Mr. McBurney?

23 MR. MCBURNEY: No, sir. Thank you.

24 THE COURT: Anything else, Mr. Sadequee?

25 MR. SADEQUEE: No.

1 THE COURT: All right. Then we will be in
2 recess.

3 (Proceedings adjourn at 11:16 a.m.)
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C E R T I F I C A T E

UNITED STATES OF AMERICA :
:
NORTHERN DISTRICT OF GEORGIA :

I, Nicholas A. Marrone, RMR, CRR, Official Court Reporter of the United States District Court for the Northern District of Georgia, do hereby certify that the foregoing 12 pages constitute a true transcript of proceedings had before the said Court, held in the city of Atlanta, Georgia, in the matter therein stated.

In testimony whereof, I hereunto set my hand on this, the 1st day of September, 2009.

/s/ Nicholas A. Marrone

NICHOLAS A. MARRONE, RMR, CRR
Registered Merit Reporter
Certified Realtime Reporter
Official Court Reporter
Northern District of Georgia